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U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

MEMO ENDORSED

April 28, 2008

**BY HAND**

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: United States v. Post and Charles, 08 Cr. 243(KMK)

Dear Judge Karas:

The Government respectfully requests that Your Honor schedule a pretrial conference at the court's earliest convenience, in order to set a deadline by which defendant Wayne Charles must resolve his legal representation issues. As is discussed below, without the Court's intervention, the ambiguity regarding Charles' legal representation will likely interfere with the parties' ability to comply with the scheduling that Your Honor set at the last pretrial conference.

This Office has made its initial discovery disclosures and is prepared to make available for inspection approximately three file cabinets of documents and to send them out to be photocopied. Counsel for Ms. Post is prepared to review the documents now, however, counsel for Mr. Charles, Mr. Alperin, apparently has been advised that Charles may be changing attorneys. Mr. Alperin is hesitant to undertake a review of documents until the issue of his legal representation is finalized, and he is unable to determine when that issue will be resolved. Under the schedule that Your Honor set at the last pretrial conference, discovery must be completed by the end of July. The process of photocopying voluminous records is likely to take weeks and needs to begin soon in order to meet the court's schedule.

Accordingly, the Government respectfully requests that Your Honor schedule a pretrial conference for the purpose of setting a deadline by which Mr.

Charles' must resolve his legal representation. Mr. Alperin has asked me to advise the court that he is unavailable on either May 5 or May 6, 2008.

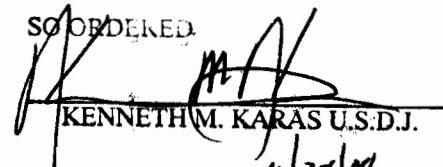
Respectfully,

MICHAEL J. GARCIA  
United States Attorney

by: Cynthia K. Dunne  
Cynthia K. Dunne  
Assistant United States Attorney  
(914) 993-1913

cc: Kenneth Saltzman, Esq.(by fax)  
Lewis Alperin, Esq.(by fax)

The Court will hold a conference on May 7, 2008  
at 4:30 pm to address Mr. Charles' representation  
issues.

SO ORDERED  
  
KENNETH M. KARAS U.S.D.J.  
4/28/08